



1619

Atty. Dkt. No. 018733-1094

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Milton D. GOLDENBERG

Title: INTRAOPERATIVE, INTRAVASCULAR AND ENDOSCOPIC TUMOR  
AND LESION DETECTION, BIOPSY AND THERAPY

Appl. No.: 10/086,637

Filing Date: 03/04/2002

Examiner: Unassigned

Art Unit: 1619

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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant submits herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/348,818, filed 07/08/1999. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

The relevance of the documents is described parent application.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date June 19, 2002

FOLEY & LARDNER  
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5569  
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By

*Phillip J. Artiola* *Reg. No. 38,819*  
for / Stephen B. Maebius  
Attorney for Applicant  
Registration No. 35,264

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number. Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: June 19, 2002 (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/086,637
				Filing Date	03/04/2002
				First Named Inventor	Milton D. Goldenberg
				Group Art Unit	1619
				Examiner Name	Unassigned
				Attorney Docket Number	018733-1094
Sheet	1	of	5		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	4,932,412		GOLDENBERG	06/1990	
	A2	4,348,376		GOLDENBERG	09/1982	
	A3	4,361,544		GOLDENBERG	11/1982	
	A4	4,624,846		GOLDENBERG	11/1986	
	A5	4,311,647		GOLDENBERG	05/1982	
	A6	4,444,744		GOLDENBERG	04/1984	
	A7	4,460,561		GOLDENBERG	07/1984	
	A8	4,624,846		GOLDENBERG	11/1986	
	A9	5,256,395		BARBET et al.	11/19/93	
	A10	5,274,076		BARBET et al.	12/1993	
	A11	4,782,840		MARTIN, JR. et al.	11/1988	
	A12	4,474,893		READING	10/1984	
	A13	4,818,709		PRIMUS et al.	04/1989	
	A14	4,859,449		MATTES	08/1989	
	A15	4,946,778		LADNER et al.	08/1990	
	A16	5,057,313		SHIH et al.	10/1991	

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A17	AITKEN et al., "A Gamma-Detecting Probe for Radioimmune Detection of CEA- Producing Tumors," <u>Diseases of the Colon &amp; Rectum</u> Vol. 27, No. 5, (1984), pp. 279-282, American Society.	
	A18	ALLEN et al., "Combined Laser Therapy and Endobronchial Radiotherapy for Unresectable Lung Carcinoma With Bronchial Obstruction," <u>American Journal of Surgery</u> Vol. 150, (1985), pp. 71-77.	

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2 of 5

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	A19	BETTER et al., "Escherichia coli Secretion of an Active Chimeric Antibody Fragment," <u>Science</u> Vol. 240, (1988), pp. 1041-1042.	
	A20	CARTER et al., "High Level <i>Escherichia Coli</i> Expression and Production of a Bivalent Humanized Antibody Fragment," <u>Biotechnology</u> Vol. 10, (1992), pp. 163-167.	
	A21	FLEISCHER, "Endoscopic Laser Therapy for Gastrointestinal Disease," <u>Acrh. Intern. Med.</u> Vol 144, No. 6, (1984), pp. 1225-1230 .	
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	A23	HUNTER et al., "Lasers in Endoscopic Gastrointestinal Surgery," <u>The American Journal of Surgery</u> , Vol. 148, (1984), pp. 736-741.	
	A24	KRISHNAN et al., "Chimerization of Mu-9: A Colon-Specific Antigen-p Antibody Reactive with Gastrointestinal Carcinomas," <u>Cancer</u> , Vol. 80, No. 12, (1987), pp. 2667-2674.	
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	A28	PROFIO et al., "Flourescence Diagnosis of Cancer," <u>Advances in Experimental Medicine and Biology</u> , Vol. 193, pp. 43-50.	
	A29	SCHRAY et al., "Management of Malignant Airway Obstruction: Clinical and Dosimetric Considerations Using An Iridium-192 Afterloading Technique in Conjunction with the Neodymium-Yag Laser," <u>Int. J. Radiation Oncology Biol. Phys.</u> , Vol. 11, No. 2, (1985), pp. 403-409.	

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	A30	SCERRA et al., "Assembly of a Functional Immunoglobulin F <sub>v</sub> Fragment in <i>Escherichia Coli</i> ," <u>Science</u> , Vol. 240, (1988), pp.1038-1041.	
	A31	STUDIER et al., "Use of Bacteriophage T7 RNA Polymerase to Direct Selective High-Level Expression of Cloned Genes," <u>J. Mol. Biol.</u> , Vol. 189, No. 1, (1986), pp. 113-130.	
	A32	TATSUTA et al., "Diagnosis of Gastric Cancers With Flourescein- Labeled Monoclonal Antibodies to Carcinoembryonic Antigen," <u>Lasers in Surgery and Medicine</u> , Vol. 9 , No. 4, (1989).	
	A33	JOHNSON et al. , "Preparation and Use of Flourochrome Conjugates," <u>Handbook of Experimental Immunology in Four Volumes- Volume 1: Immunochemistry</u> , Blackwell Scientific Publications, pp. 1-28.21.	
	A34	WOOD et al., "Tumor Ablation by Endoscopic Nd: YAG Laser," <u>The American Journal of Gastroenterology</u> , Vol. 80, No. 9 (1985), pp. 715-718.	
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	A37	PELEGRIN et al., "Antibody-Flourescein Conjugates for Photoimmunodiagnosis of Human Colon Carcinoma in Nude Mice," <u>Cancer</u> , Vol. 67, (1991), pp. 2529-2537.	
	A38	VAN DEN BERGH, "Lighy and Porphyrins in Cancer Therapy," <u>Chem.</u> , Britain, Vol. 22, (1986), pp. 430-439..	

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	A39	DOUGHERTY et al., "Photoradiation Therapy for the Treatment of Malignant Tumors," <u>Cancer Research</u> , Vol. 38, (1978), pp. 2628-2635.	
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	A47	ADAMS et al., "Highly Specific <i>in Vivo</i> Tumor Targeting by Monovalent and Divalent Forms of 741F8 Anti-c-erbB-2 Single-Chain F <sub>v</sub> ," <u>Cancer Research</u> , Vol. 53, (1993), pp. 4026-4034	

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